



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Application for Leave to Present Late Claim for Carlos Tobar, Date of Loss 3/18/07

**MEETING DATE:** December 19, 2007

**PREPARED BY:** Randi Johl, City Clerk

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**RECOMMENDED ACTION:** Deny, by motion action, the following Application for Leave to Present Late Claim:

Mr. Carlos Tobar  
Date of Loss: March 18, 2007  
Claim Filed: October 12, 2007

**BACKGROUND INFORMATION:** Mr. Tobar presented a claim for alleged property damage resulting from a tree limb falling on his vehicle. The claim was filed on October 12, 2007, approximately 3 ½ weeks after the expiration of the relevant statute. The statute, as set forth in the Government Code, specifically requires that the claim be filed within a six-month period from the date of occurrence. Mr. Tobar has not shown due diligence in attempting to file the claim in a timely manner and ignorance of the law does not warrant granting the application. It is, therefore, respectfully requested that the City Council deny the Application for Leave to Present a Late Claim.

**FISCAL IMPACT:** \$1,200 (Amount of Claim).

**FUNDING AVAILABLE:** Not Applicable.

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Randi Johl  
City Clerk

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**APPROVED:** \_\_\_\_\_  
Blair King, City Manager